

IAP15 Rec'd PCT/PTO 17 JAN 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : To be assigned Confirmation :
No.
First Named Inventor : Ingrid LINDEMANN, et al.
Filed : January 17, 2006
TC/A.U. : To be assigned
Examiner : To be assigned

Docket No. : 095309.57282US
Customer No. : 23911

Title : Driver's Cab for a Utility Vehicle

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 AND 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, the attached Form PTO-SB08 lists documents which the Examiner may deem relevant to patentability of the claims of the above-identified application.

I. Time Period of Submission

This Information Disclosure Statement is submitted:

☒ 1) no later than three months from the application's filing date or 2) before the mailing date of the first Office Action on the merits (whichever is later) or 3) before a first Office Action after the filing of a Request for Continued Examination, and therefore no statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

☐ 2) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, a Notice of Allowance, or an action closing prosecution (*Ex parte Quayle*), (whichever is earlier), and therefore Applicant is filing concurrently herewith:

- ☐ a Statement under 37 C.F.R. § 1.97(e); or
☐ a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

☐ 3) after either a Final Office Action or a Notice of Allowance, but before payment of the Issue Fee, and therefore Applicant is submitting herewith:

a Statement under 37 C.F.R. § 1.97(e); and

a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

☐ 4) within 30 days of receipt by any individual designated in 37 C.F.R. § 1.56(c) of a communication from a foreign patent office in a counterpart application in which each item of information contained in this information disclosure statement was first cited, and therefore Applicant is submitting herewith:

a Statement under 37 C.F.R. § 1.704(d).

II. Statement Under 37 C.F.R. § 1.97(e)

☐ I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

☐ I hereby state that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making a reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; or

☐ I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.

III. Submission of Non-English Language Documents

☒ The following is a concise explanation of relevance of the non-English language documents listed in the attached Form SB08:

☒ The relevance of documents A7 – A9 to the subject matter of the present invention is/are provided in the specification of the above-identified application.

☒ Corresponding international search reports citing documents A1 – A6 indicating the degree of relevance found by the foreign office(s) is/are

submitted. Documents A10 and A11 are cited in a corresponding German patent application. A copy of the German Examination Report is also attached hereto.

☐ English language family member publication(s) of document(s) _____ is/are noted on Form SB08.

☒ English language abstracts are submitted for documents A2 – A10.

☐ English translation(s) of the foreign language document(s) _____ is/are submitted herewith.

☐ Applicant submits the following explanations:
_____.

IV. Continuations/Divisionals/PCT National Stage Applications

☐ Documents _____ were of record in parent application Serial No. _____, filed _____, from which this application claims benefit. As provided in 37 C.F.R. §1.98(d), copies of the documents are not being provided since they were previously submitted to or cited by the United States Patent and Trademark Office in the afore-mentioned parent application.

☐ Copies of document(s) listed on the attached form PTO-1449 have already been provided by the International Searching Authority, therefore, duplicate copies are not attached hereto.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

10/564809

AP15 Rec'd PCT/PTO 17 JAN 2006

If necessary, this paper should be considered as an authorization to charge Deposit Account 05-1323, Attorney Docket No.: 095309.57282US, for the fee set forth in 37 C.F.R. § 1.17(p).

Date: Jan. 17, 2006

Respectfully submitted,



Dr. Song Zhu

Registration No. 44,420

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
GRE:SZ:smw
2701808#

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known		
Application Number		Unassigned 10/564809				
Filing Date		Herewith				
First Named Inventor		Ingrid Lindemann				
Group Art Unit		Unassigned				
Examiner Name		Unassigned				
Attorney Docket Number		095309.57282US				
Sheet	1	of	1			

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	5,090,105	A	DEREES	02-25-1992	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A2	EP	0 990 573	A	DAIMLERCHRYSLER AG	04-05-2000		
	A3	DE	43 02 489	A1	MAN NUTZFAHRZEUGE AG	01-29-1993		
	A4	EP	1 193 164	A1	KOMATSU UTILITY EUROPE S.P.A.	04-03-2002		
	A5	FR	2 772 334	A1	SOCIETE ANONYME DITE	06-18-1999		
	A6	FR	2 839 697	A1	DENING SOCIETE	11-21-2003		
	A7	EP	0 646 517	B1	MAN NUTZFAHRZEUGE AG	06-04-1997		
	A8	DE	689 05 013	T2	IVECO FIAT S.P.A.	06-17-1993		
	A9	EP	0 029 880	B1	M.A.N. MASCHINENFABRIK	02-01-1984		
	A10	DE	34 04 785	A1	LINDE AG	08-14-1985		
	A11	DE	91 04 258	U1	GROVE, ALFONS	08-01-1991		

Examiner Signature	Date Considered	
--------------------	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.